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## Minutes of the Commission Meeting Held on August 23, 2007 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

### IN ATTENDANCE

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Commissioners: (P = Present; A = Appointed; E = Elected)

James Athearn (E – Edgartown)	P Ned Orleans (A – Tisbury)
P John Breckenridge (A – Oak Bluffs)	P Jim Powell (A – West Tisbury)
P Christina Brown (E - Edgartown)	P Doug Sederholm (E – Chilmark)
P Peter Cabana (A – Tisbury)	Susan Shea (A – Aquinnah)
Martin Crane (A – Governor Appointee)	P Linda Sibley (E – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	Paul Strauss (County Comm. Rep.)
Mark Morris (A – Edgartown)	Richard Toole (E – Oak Bluffs)
P Chris Murphy (A – Chilmark)	Andrew Woodruff (E – West Tisbury)
P Katherine Newman (A – Aquinnah)	

Staff: Mark London (Executive Director), Paul Foley (DRI Coordinator), Jim Miller (Traffic Analyst)

The meeting was called to order at 7:43 p.m.

### **1. STONE BUILDING RENOVATIONS**

**Doug Sederholm** explained the refinancing that had been approved on the Stone Building renovations and commended Jeff Wooden for his work.

- The mortgage is being refinanced for \$545,000.
- The 20 year note is adjustable at five year intervals at 6.25% through Edgartown National Bank.
- The loan is considered commercial and therefore it is difficult to find a 30 year fixed rate mortgage.
- Edgartown National Bank has to keep the loan in its own portfolio and doesn't have a fixed rate of that size.
- The rate was reduced from a one year adjustable at prime plus one point, over 8%.

### **2. CRONIG'S MARKET: DRI NO. 321M-2 – WRITTEN DECISION**

*Commissioners present: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, L. Sibley*

***Linda Sibley moved, and it was duly seconded, to approve the Written Decision.***

**Linda Sibley** commented that the lighting section isn't explicit about when lights should be turned off. She suggested, and Commissioners agreed, that standard lighting conditions for exterior lighting be added.

Commissioners agreed on the following changes:

Line 32            *recurring*  
Line 24            delete *modestly-sized*  
Line 201            replace *who* with *whom*  
Line 232 & 235    replace *will* with *shall*  
Line 223            *shall be submitted in writing*  
                      *Allow for future installations*

***In favor: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, L. Sibley. Opposed: None. Abstentions: None. The motion passed.***

### **3. FINANCE COMMITTEE**

**Doug Sederholm** reported he is tentatively appointing Peter Cabana to fill the Tisbury vacancy on the finance committee and Susan Shea to fill the Aquinnah vacancy. A meeting will be held on September 6<sup>th</sup> at 6:00 p.m.

### **4. EXECUTIVE DIRECTOR'S REPORT**

**Mark London** reported that the Island Plan Forum on Development and Growth was well-attended and had a favorable reaction. The video of the meeting will be shown on MVTV.

- **Ned Orleans** commented that if the drop dead time had not been 9:30 p.m. the public would have asked more questions and had more discussion. He feels the public should decide on the end time of the meeting, not the presenters.
- **Linda Sibley** agreed that important discussion could have occurred had the forum continued past 9:30 p.m. after Ginny Jones stated that she feels the Island has reached its carrying capacity.

### **5. YMCA: DRI NO. 600 – DELIBERATION & DECISION**

*Commissioners present: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, D. Sederholm, L. Sibley*

**Christina Brown** reported that LUPC met twice. LUPC recommends approval of the latest plan of the YMCA with conditions, which include acceptance of their offers.

#### **5.1 Landscaping**

**Linda Sibley** asked for clarification of the term 'best management practices'. **Christina Brown** expects that when the landscaping plan is submitted to LUPC management practices will be clarified.

#### **5.2 Exterior Lighting**

**Linda Sibley** asked that the written decision clarify that night lighting be no more than required by code and security lighting be motion sensitive.

**Christina Brown** recommended adding a condition stating that the only outdoor lighting on after the Y is closed and the building is not occupied should be only that which is required by the building code and motion sensitive security lighting.

### **5.3 Affordable Housing**

The donation will be \$71,000 over ten years to be earmarked for YMCA employees.

### **5.4 Waste/Recycling**

### **5.5 Stormwater**

**John Breckenridge** suggested, and LUPC recommends, including the condition as follows:

- *The final Stormwater Management Plan shall be submitted and is subject to review by staff and approval of the LUPC prior to construction. The Applicant shall provide full-size construction documents of the site plan and civil engineering details for the stormwater system including bio-retention swales and basins, catch basins, and downstream defender treatment units. The Applicant shall provide plan-view details of the bio-retention forebays and basins in addition to cross sections. It is recommended that the plans for the bio-retention areas meet the design specifications as prepared for the MV Hospital including the following suggestions: 1) The outflow from the forebay should not be designed directly opposite the inflow of the bio-retention basin to prevent clogging of the spillway; 2) The overflow spillways from both the forebays and the bio-retention outlets should be stabilized with erosion control matting or other suitable material such as rip rap.*

**John Breckenridge** explained that the detail is important because of the nitrogen sensitive location and because of the precedent the language sets for other projects in nitrogen sensitive areas.

**Doug Sederholm** said it should be clear in the written discussion that the project is in a nitrogen sensitive area.

### **5.6 Wastewater**

The offer outlines the plan to join the High School's project and the YMCA's share of the cost.

**Doug Sederholm** asked whether the 20,000 gallons per day are an average or a cap.

- **Mark London** said the agreement is between the High School and the Wastewater Commission.
- **Chris Murphy** said LUPC discussed the wastewater offers. The 20,000 gallon limit is set by the High School's leaching field capacity.
- **Linda Sibley** said she believes that the leaching field is part of a DRI approved by the Commission. If the High School were to change the leaching field size, it would have to come before the Commission.

### **5.7 Open Space**

### **5.8 Habitat**

### **5.9 Energy Sustainability**

The YMCA has committed to getting LEEDS certification, aiming for Silver.

The building will be designed with solar hot water panels.

**Christina Brown** said that where statements were made by officials-attribution for the record was made to the officials' positions, not to incumbents by name.

**Doug Sederholm** commended LUPC for their work that allowed for a speedy review of the written decision. **Christina Brown** said a good working relationship with the applicant and representatives created a good working review. **Peter Cabana** also commended the applicant for getting independent assessment in trying to address various issues.

***Christina Brown moved, and it was duly seconded, to approve the YMCA's proposal with conditions and offers as outlined above.***

#### **5.19 Benefits & Detriments**

- The project is appropriate and essential in view of the alternatives and provides a long overdue service for citizens both young and old.
- Working with the High School to reduce overall nitrogen in the campus area is a benefit.
- The possibility of sending water from other watersheds to a compromised watershed could be a detriment, but even with pumping 20,000 gallons back to the leaching field the High School's nitrogen contribution will be reduced.
- TheY have helped the High School solve their wastewater problem as well as making it possible to add other sites, both of which are a benefit.
- The applicant may require a height variance. The Commission notes that if the ZBA thinks the height variance is okay, then the Commission does, too.



**Mimi Davisson** suggested adding, under Open Space detriments that the site consists of prime agricultural soil.

**Chris Murphy** suggested adding, as a benefit, that the Y creates a number of year round jobs that are not tourist based.

***A roll call vote was taken. In favor: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, D. Sederholm, L. Sibley***  
***Opposed: None. Abstentions: None. The motion passed.***

**Doug Sederholm** said he's very impressed and appreciates the good cheer and quality of the application.

The meeting adjourned at 9:00 p.m.

  
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Chairman  
  
\_\_\_\_\_  
Clerk-Treasurer

2-21-08  
Date  
2-29-08  
Date

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